

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION,
STATE OF CALIFORNIA, STATE OF
COLORADO, STATE OF ILLINOIS,
STATE OF INDIANA, STATE OF IOWA,
STATE OF MINNESOTA, STATE OF
NEBRASKA, STATE OF OREGON,
STATE OF TENNESSEE, STATE OF
TEXAS, STATE OF WASHINGTON, and
STATE OF WISCONSIN,

Plaintiffs,

v.

SYNGENTA CROP PROTECTION AG,
SYNGENTA CORPORATION,
SYNGENTA CROP PROTECTION, LLC,
and CORTEVA, INC.,

Defendants.

Case No. 1:22-cv-00828-TDS-JEP

**JOINT CONSENT MOTION FOR
EXTENSION OF TIME TO
SELECT MEDIATOR BY
AGREEMENT**

Plaintiffs Federal Trade Commission and the states of California, Colorado, Illinois, Indiana, Iowa, Minnesota, Nebraska, Oregon, Tennessee, Texas, Washington, and Wisconsin, acting by and through their respective Attorneys General (“Plaintiffs”); and Defendants Syngenta Crop Protection AG, Syngenta Corporation, Syngenta Crop Protection, LLC (collectively, “Syngenta”) and Corteva, Inc. (together with Plaintiffs and Syngenta, the “Parties”) hereby jointly move the court to extend the time under Local Rule 83.9d(a) to select a mediator by agreement.

In the April 25, 2024, Scheduling Order the Court ordered the Parties to “engage in mediation to be concluded by October 2, 2025,” and provided that “[i]f the Parties are

unable to agree on a mediator, the Court will appoint one.” (Doc. 195 at 3.) Local Rule 83.9d further provides that the Parties should select a mediator within 21 days of the initial pretrial order, and that otherwise, the clerk shall appoint a mediator from the court’s certified list. LR 83.9d. Accordingly, the Court has ordered the Parties to select a mediator by May 20, 2024. (April 29, 2024, Mediation Scheduling Order.)

The Parties intend to confer and would like the opportunity to attempt to jointly select a mediator, but respectfully request an extension of time until January 22, 2025, to do so. Although the local rules provide that Parties should select a mediator within 21 days of the initial pretrial order, here it is reasonable to afford additional time because the mediation process is scheduled to conclude by October 2025, more than 16 months from now. Extending the time for the Parties to select a mediator will be conducive to a productive mediation because it will provide more time for the Parties to confer and attempt to reach agreement on the mediator, and it will allow the Parties to do so with the benefit of information gained during discovery. This extension will not impede the progress of mediation because a mediator selected in January 2025 will have sufficient time to become familiar with the case and be ready to engage in a mediated settlement conference to be concluded by October 2, 2025.

Therefore, the Parties respectfully request an extension of time to agree on a mediator until January 22, 2025.

Dated: May 14, 2024

Respectfully submitted,

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